

Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER P28604
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/551780	
INTERNATIONAL APPLICATION NO. PCT/JP2004/004876	INTERNATIONAL FILING DATE 2 April 2004	PRIORITY DATE CLAIMED 04 April 2003	
TITLE OF INVENTION LIPID MEMBRANE STRUCTURE CONTAINING ANTI-MT-MMP MONOCLONAL ANTIBODY			
APPLICANT(S) FOR DO/EO/US Motoharu SEIKI, Ikuo YANA, Takanori AOKI, Junko YASUDA, Hiroshi KIKUCHI, and Emi ISHIDA			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.			
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (23) indicated below. <input checked="" type="checkbox"/> The US has been elected (PCT Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d) (4). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <p style="padding-left: 20px;">"Unexecuted"</p> <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 			
Items 11 to 22 below concern other document(s) or information included:			
<ol style="list-style-type: none"> 11. Assignee: <u>DAIICHI PHARMACEUTICAL CO., LTD., of Tokyo, Japan</u> 12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 14. <input type="checkbox"/> A FIRST preliminary amendment. <input checked="" type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76. 16. <input type="checkbox"/> A substitute specification. 17. <input type="checkbox"/> A power of attorney and/or change of address letter. 18. <input type="checkbox"/> Figure of Drawing to be published: 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. 20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154 (d) (4). 21. <input type="checkbox"/> A second copy of the English language translation of the international of the international application under 35 U.S.C. 154 (d) (4). 22. <input checked="" type="checkbox"/> Other items or information: Cover Letter under 35 U.S.C. 371 and 37 C.F.R. 1.495. International Application as published in Japanese. International Application as filed in Japanese. PCT/RO/101 PCT Request (in Japanese). PCT/ISA/210 International Search Report (in English and Japanese). PCT/ISA/237 (in Japanese). PCT/IPEA/409 International Preliminary Examination Report (in Japanese). PCT/IB/301. PCT/IB/304. PCT/IB/308. PCT/IB/332. Claim of Priority. 			

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/551780		INTERNATIONAL APPLICATION NO. PCT/JP2004/004876	ATTORNEY'S DOCKET NUMBER JC05 Rec'd PCT/PTO 03 OCT 2005 P28604
23 <input checked="" type="checkbox"/> The following fees are submitted: Basic national fee.....		CALCULATIONS	PTO USE ONLY
		\$300.00	
24 <input checked="" type="checkbox"/> Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33 (1)-(4)..... All other situations.....		\$200.00	
		100.00 200.00	
25 <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a) (2)) has been paid on the international application to the USPTO as an International Searching Authority..... International Search Report prepared and provided to the Office..... All other situations.....		\$400.00	
		100.00 400.00 500.00	
TOTAL 23, 24 and 25 =		\$900.00	
<input type="checkbox"/> Additional Fee for Specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
-100=	/50 =		x \$250.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).			\$ 0.00
Claims	Number Filed	Number Extra	Rate
Total Claims	- 20 =		x \$50.00
Independent Claims	- 3 =		x \$200.00
Multiple Dependent Claim(s) (if applicable)			+ \$360.00
		TOTAL OF ABOVE CALCULATIONS =	\$900.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2 .			\$ 0.00
		SUBTOTAL =	\$900.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (i)).			\$ 0.00
Extension of Time fee in the amount of \$			\$ 0.00
		TOTAL NATIONAL FEE =	\$900.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			\$ 0.00
		TOTAL FEES ENCLOSED =	\$900.00
		Amount to be refunded	\$
		Charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$900.00</u> to cover the above fees is included.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0089</u>.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>			
SEND ALL CORRESPONDENCE TO CUSTOMER NO. 07055 AT THE PRESENT ADDRESS OF:		 Leslie J. Paperner SIGNATURE Reg. No. 33,329	
Bruce H. Bernstein GREENBLUM & BERNSTEIN, P.L.C. 1950 Roland Clark Place Reston, VA 20191 (703) 716-1191		Bruce H. Bernstein NAME 29,027 REGISTRATION NUMBER	

10/551780

JC05 Rec'd PCT/PTO 03 OCT 2005

P28604.P03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Motoharu SEIKI et al.

Mail Stop PCT

Appl. No. : Not Yet Assigned (National Phase of PCT/JP2004/004876)

I.A. Filed : April 2, 2004

For : LIPID MEMBRANE STRUCTURE CONTAINING ANTI-MT-MMP
MONOCLONAL ANTIBODY

CLAIM OF PRIORITY

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop PCT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby claims the right of priority granted pursuant to 35 U.S.C. 119 and 365 based upon Japanese Application No. 2003-101521, filed April 4, 2003. The International Bureau already should have sent a certified copy of the Japanese application to the United States designated office. If the certified copy has not arrived, please contact the undersigned.

Respectfully submitted,
Motoharu SEIKI et al.


Bruce H. Bernstein
Reg. No. 29,027


Leslie J. Paperner
Reg. No. 33,329

September 30, 2005
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191